

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

NEW PRIORITY DATE:  
Date of filing in State Engineer's Office - JUN-08-2002 -- AUG 26 2004  
Returned to applicant for correction AUG 20 2002  
Corrected application filed \_\_\_\_\_  
Map filed OCT 08 2002 under 68940

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The applicant **United States of America Forest Service, Dept of Agriculture** hereby make application for permission to change the **Manner and Place of Use** of water heretofore appropriated under **Permit 12087, Certificate 4334**

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1. The source of water is **Marlette Creek and Tributaries (South Fork)**
2. The amount of water to be changed **0.25 CFS**
3. The water to be used for **Instream Flow**
4. The water heretofore permitted for **Power and Domestic**
5. The water is to be diverted at the following point **NW ¼ NE ¼ Section 14 T.15N., R.18E., M.D.B.&M., or at a point from which the N ¼ corner of said Section 14, bears N. 29° 42' 40" W., 1358.7 feet. Situated in Washoe County, State of Nevada.**
6. The existing permitted point of diversion is located within the **NW ¼ NE ¼ Section 14 T.15N., R.18E., M.D.B.&M., or at a point from which the N ¼ corner of said Section 14, bears N. 29° 42' 40" W., 1358.7 feet. Situated in Washoe County, State of Nevada.**
7. Proposed place of use **SW ¼ SE ¼, all in Section 11, T.15N., R.18E., M.D.M. Lot 2, NE ¼ NW ¼, NW ¼ NE ¼, and SE ¼ NW ¼ all in Section 14, T.15N., R.18E., M.D.M.**
8. Existing place of use is in **Lot 4, Section 11, T.15N., R.18E., M.D.B.&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Water is no longer to be diverted. Water will remain in Creek as instream flow.**
12. Estimated cost of works **0**
13. Estimated time required to construct works **Earthen Dam will be removed in 2002. Approx. 5,800 yd<sup>3</sup> of material will be removed during 5 - week period. Approx. 400' of channel will be restored to original topography.**
14. Estimated time required to complete the application of water to beneficial use

15. Remarks:

By Susan Norman,  
Ecosystem Conservation Staff Officer  
s/Susan Norman  
870 Emerald Bay Road, Ste. 1  
South Lake Tahoe, CA 96150

Compared sg/cmf lb/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of South Fork of Marlette Creek and Tributaries heretofore granted under Permit 12087, Certificate 4334, is issued subject to the terms and conditions imposed in said Permit 12087, Certificate 4334, and with the understanding that no other rights at the source shall be affected by the change proposed herein. A measuring device must be installed near the point of diversion and accurate measurements must be kept of water placed to a beneficial use. This permit is subject to the final allocation of the State of Nevada under the California Nevada Interstate Compact Commission. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.25 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 23, 2004

Proof of completion of work shall be filed on or before:

May 23, 2004

Water must be placed to beneficial use on or before:

April 23, 2005

Proof of the application of water to beneficial use shall be filed on or before:

May 23, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of April, A.D. 2003

  
State Engineer


Completion of work filed SEP 23 2004

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED AUG 16 2004 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

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Can. Rescinded 9-23-04 STATE ENGINEER~~